

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Harrison S. Lofton,

Plaintiff(s),

vs.

C/O Matt Cuckler,

Defendant(s).

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Case Number: 1:11cv539

Chief Judge Susan J. Dlott

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge J. Gregory Wehrman filed on April 27, 2012 (Doc. 24), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired May 14, 2012, hereby ADOPTS said Report and Recommendation.

Accordingly, defendant's motion for judgment on the pleadings (Doc. 23) is **GRANTED** as to plaintiff's retaliation claim and the court will sua sponte dismiss plaintiff's Eighth Amendment claim.

IT IS SO ORDERED.

s/Susan J. Dlott  
Chief Judge Susan J. Dlott  
United States District Court